

In conjunction with rulemaking relating to the Regional Greenhouse Gas Initiative, DES is proposing to amend Env-A 607.01(aa)-(ad), Specific Applicability for Temporary Permits, and to readopt with amendment Env-A 801.02, Applicability of Testing and Monitoring Requirements. The Initial Proposals, Rulemaking Notices, and Fiscal Impact Statements for these rules are available at <http://des.nh.gov/organization/commissioner/legal/rulemaking/index.htm#pair> .

Existing rule Env-A 607.01 identifies the activities for which a temporary permit is required under RSA 125-C, relative to control of air emissions, including nitrogen oxides (NOx)-emitting generation sources as defined in Env-A 3702. The proposed amendment clarifies that temporary permits also are required for NOx budget sources as defined in Env-A 3203 and carbon dioxide (CO2) budget sources as defined in Env-A 4602, and clarifies the language relative to NOx-emitting generation sources.

Existing rule Env-A 801.02 identifies the applicability of the testing and monitoring requirements specified in Env-A 800. The proposed amendment clarifies that the owner or operator of a source subject to Env-A 2900, Multiple Pollutant Annual Budget Trading and Banking Program, must comply with the testing and monitoring requirements specified in Env-A 800 and in Env-A 2900 (following the requirements of Env-A 2900 in case of conflict), and that the owner or operator of a source subject to Env-A 4600, Carbon Dioxide (CO2) Budget Trading Program, must comply with the testing and monitoring requirements specified in Env-A 800 and in Env-A 4600 (following the requirements of Env-A 4600 in case of conflict).

The public hearing for these rules is scheduled for Wednesday, February 18, 2009, at 9:30 a.m. in Rooms 110-111 of the DES Offices at 29 Hazen Drive, Concord, NH. The deadline for submission of written comments is 4 p.m. on Monday, March 2, 2009.

Comments or questions should be directed to Joe Fontaine at the phone or fax number or e-mail address noted below.

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